



16138 US PTO

81788.0267

Express Mail Label No. EV 324 112 282 US

U.S. PTO
22390
10/795839

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification
of this Application: Class 257 Subclass 099000

Prior Application

Examiner: Johannes P. Mondt

Art Unit: 2826

DIVISIONAL APPLICATION TRANSMITTAL

Mail Stop PATENT APPLICATION
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

This is a request for filing a continuation divisional application pursuant to 37 C.F.R. § 1.53(b), of pending prior application:

Serial No. 10/118,604 filed April 8, 2002, by Koichi NITTA, Kenji SHIMOMURA, Hiroaki OSHIO and Takeshi KOMATSU (inventor(s) currently of record in prior application) for LIGHT EMITTING DEVICE.

1. Enclosed is a copy of the prior application, including the oath or declaration as originally filed, or a replacement specification which does not add new matter.
2. The filing fee is calculated below:

CALCULATION OF FEES								
ITEM		TOTAL NO. OF CLAIMS		NO. OF CLAIMS OVER BASE	LG/SM \$ ENTITY FEE		\$ AMOUNT	\$ FEE
A	TOTAL CLAIMS FEE	1	-20	0	LG=\$18 SM=\$9	\$18	\$ 0	
B	INDEPENDENT CLAIMS FEE*	1	-3	0	LG=\$86 SM=\$43	\$86	\$ 0	
C	SUBTOTAL - ADDITIONAL CLAIMS FEE (ADD FINAL COLUMN IN LINES A + B)							\$ 0
D	MULTIPLE-DEPENDENT CLAIMS FEE							LARGE ENTITY FEE = \$290 SMALL ENTITY FEE = \$145
E	BASIC FEE							LARGE ENTITY FEE = \$770 SMALL ENTITY FEE = \$385
F	TOTAL FILING FEE (ADD TOTALS FOR LINES C, D, AND E)							\$ 770

*LIST INDEPENDENT CLAIMS 1.

3. Please charge my Deposit Account No. 50-1314 the amount of \$ 770.00. A copy of this letter is enclosed.
4. A check in the amount of \$____ is enclosed.

5. Cancel in this application original claim(s) 2-20 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

6. Amend the specification by inserting before the first line the sentence:

This is a continuation divisional of application Serial No. 10/118,604 filed April 8, 2002, which application is hereby incorporated by reference in its entirety.

7a. New formal drawings are enclosed.

7b. Priority of application Serial No(s).:

Japanese application Serial No. 2001-110676 filed April 9, 2001 is claimed under 35 U.S.C. § 119.

7c. The certified copy of the priority application was filed in prior application Serial No. 10/118,604, filed April 8, 2002.

8. The prior application is assigned of record to: KABUSHIKI KAISHA TOSHIBA.

9. The power of attorney in the prior application is as listed on the attached copy of the declaration filed in the parent application.

a. The power appears in the original papers in the prior application.

b. Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c. Address all future communications to:

Anthony J. Orler
HOGAN & HARTSON L.L.P.
Biltmore Tower
500 South Grand Avenue, Suite 1900
Los Angeles, CA 90071
Telephone: (213) 337-6700
Facsimile: (213) 337-6701

Customer Number 000026021 →

d. A new Associate Power of Attorney is enclosed.

10. A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

11. Applicant claims small entity status. See 37 CFR 1.27.

Applicant no longer claims small entity status.

12. An Information Disclosure Statement listing 27 references is enclosed.

Date: March 8, 2004


Anthony J. Orler
Registration No. 41,232

HOGAN & HARTSON L.L.P.
500 South Grand Avenue, Suite 1900
Los Angeles, California 90071
Phone: 213-337-6700
Fax: 213-337-6701

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Koichi NITTA et al.

Serial No: Not assigned (parent 10/118,604)

Filed: April 8, 2002

For: LIGHT EMITTING DEVICE

Art Unit: Not assigned

Examiner: Not assigned

CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL

"Express Mail" Mailing Label No. EV 324 112 282 US

Date of Deposit: March 8, 2004

Mail Stop PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that

- two copies of a Divisional letter of transmittal
- patent application (54 page(s) of specification; 1 claim(s); 1 page(s) of abstract
- 22 sheet(s) of formal drawings
- executed Declaration and Power of Attorney
- Preliminary Amendment
- Information Disclosure Statement with 27 references
- return postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 C.F.R. § 1.10 on the date indicated above and are addressed to:

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

Date: March 8, 2004

Reynaldo Gallardo

Name of person mailing papers


Signature

Hogan & Hartson, LLP
500 South Grand Avenue, Suite 1900
Los Angeles, California 90071
Telephone: 213-337-6700
Facsimile: 213-337-6701